



# HOUSE MAJORITY OFFICE

# MESSAGE POINTS

Representative Carlos Lopez – Cantera, Majority Leader

## ***Regulatory Reduction***

### ***House Bills 5005-Deregulation of Professions & Occupations; 5007-Reducing & Streamlining Regulations***

Florida currently regulates more than 200 licensee and registration categories. Regulations are intended to promote public health, safety, and welfare. However, regulations sometimes have other purposes and may have the unintended effects of placing unnecessary burdens on those regulated or the overall economy. These bills limit the scope of government and promote personal responsibility by repealing unnecessary regulations on professions and businesses, modifying overly burdensome regulatory requirements for professions and businesses, and streamlining consumer services functions related to regulatory requirements.

#### ***Key Points:***

- State regulation of businesses and professions is intended to protect public health, safety, and welfare without placing undue burden on those regulated or impeding economic growth.
- To get our economy moving again, we must minimize obstacles for businesses and establish Florida as a state that inspires entrepreneurs, empowers the private sector to create jobs, and provides greater freedom to citizens.
- The bills alleviate unnecessary restrictions for entry into professions or occupations, therefore encouraging a competitive market and increasing the availability of professional services to the public.
- The bills promote business growth and expansion by eliminating burdensome regulatory costs.
- By limiting the scope of government, we will empower the private sector to compete and meet the needs of our citizens.

#### **LAST SEEN:**

**Economic Affairs  
Committee,  
reported favorably.**



#### **CURRENTLY IN:**

**Appropriations  
Committee:  
488-6204**

**Chair Grimsley:  
488-3457**



#### **HEADED TO:**

**Once the bills are  
reported favorably  
they will be referred  
to their next stop.**



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## Regulatory Reduction – Discussion Points

**Background:** The Department of Business and Professional Regulation (DBPR) and the Department of Agriculture and Consumer Services (DACS) regulate nearly two million professionals and businesses across more than 50 licensee and registration categories.

- DBPR's Divisions of Professions, Certified Public Accounting, Real Estate, Regulation, Hotels and Restaurants, and Pari-Mutuel Wagering are responsible for the licensing and regulation of professions.
  - These professions include: architects and interior designers, asbestos consultants and contractors, athlete agents, auctioneers, barbers, building code administrators and inspectors, community association managers, the construction industry, cosmetologists, electrical contractors, employee leasing companies, geologists, landscape architects, harbor pilots, talent agencies, veterinarians, public accountants, food establishments, public lodging, farm and child labor, and pari-mutuel, card room, and slot machine gaming industries.
- DACS' Division of Consumer Services is the state's clearinghouse for consumer complaints, information, and services.
  - The Division regulates various businesses that include; business opportunities, motor vehicle repair shops, charitable organizations, Florida Do Not Call Program, dance studios, pawnbrokers, health studios, sellers of travel, intrastate movers, sweepstakes/game promotions, telemarketing, and works with the Florida Attorney General to implement the Florida Lemon law.

**Regulatory Requirements:** The Business and Consumer Affairs Subcommittee has jurisdiction over 50 professions, occupations, and businesses with specific regulatory requirements. These regulatory requirements for nearly 2 million licenses, registrations, or permits range from a simple registration to requirements of college degrees, state examinations, and periodic continuing education courses.

- In principle, state regulation of businesses and professions aims to protect public health, safety, and welfare. Such regulations can be designed and implemented to protect the public from harm and facilitate the orderly conduct of commerce without unduly burdening those regulated or impeding economic growth.
- However, regulations sometimes have other purposes, such as restricting healthy competition, and may place unnecessary burdens on those regulated or the overall economy.



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- These bills repeal unnecessary regulations on professions and businesses, modify overly burdensome regulatory requirements for professions and businesses, and streamline consumer services functions related to regulatory requirements.
  - **HB 5005-Reducing Regulations on Professions and Businesses:** Repeals licensing and examination requirements and penalties for specified professions, occupations, and businesses currently regulated by the state.
  - **HB 5007-Reducing and Streamlining Regulations:** Reduces regulatory requirements for professions and businesses and streamlines regulatory functions.

**Members' Criteria Review** : The majority of members responding identified **43 professions or businesses as both not indispensable to public health or safety and without any disciplinary actions taken against them as a result of a consumer complaint related to a health or safety issue.**

- 26 of these professions or businesses do not require specific examinations or continuing education courses. Additionally, affected consumers are protected through other means.
- PCS/HB 5005 repeals the regulation of the following professions, businesses and occupations:
 

<ul style="list-style-type: none"> <li>○ Athlete Agents</li> <li>○ Auctioneers and Auctioneer Apprentices</li> <li>○ Sellers of Business Opportunities</li> <li>○ Charitable Organizations</li> <li>○ Hair Braiders, Hair Wrappers, and Body Wrappers</li> <li>○ Dance Studios</li> <li>○ Health Studios</li> </ul>	<ul style="list-style-type: none"> <li>○ Interior Designers</li> <li>○ Intrastate Movers</li> <li>○ Motor Vehicle Repair Shops</li> <li>○ Sellers of Travel</li> <li>○ Talent Agents</li> <li>○ Telemarketing</li> <li>○ Yacht and Ship Brokers</li> </ul>
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- PCS/HB 5007 repeals regulations relating to:
  - Transportation access to outdoor theaters
  - Rooming houses
  - Sales representative contracts involving commissions
  - Television tube labeling
  - Water vending machines
- The bill also eliminates the Board of Auctioneers.